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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/566,364	07/17/2006	Ulfert Drewes	DREW3003/FJD	3476

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BACON & THOMAS, PLLC 625 SLATERS LANE FOURTH FLOOR ALEXANDRIA, VA 22314		

EXAMINER	
JENKINS, JERMAINE L	

ART UNIT	PAPER NUMBER
2855	

MAIL DATE	DELIVERY MODE
09/24/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/566,364

Applicant(s)

DREWES ET AL.

Examiner

Jermaine Jenkins

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 15-28 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 15-22 is/are rejected.
- 7) ☒ Claim(s) 23-28 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 January 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. ____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 01302006.

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: ____.

DETAILED ACTION

Specification

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 15-22 are rejected under 35 U.S.C. 102(b) as being anticipated by Flogel et al (6,363,790).

In regards to claim 15, Flogel et al teaches a pressure sensor having a pressure measuring cell (120) having an end face loadable with the medium (Column 3, lines 57-64); a housing (110) having a media opening (111, i.e. throughhole) and a ring-shaped, axial bearing surface surrounding the media opening (111); a clamping apparatus (140, i.e. intermediate body); and a ring-shaped sealing arrangement (115, i.e. seal); wherein said pressure measuring cell (120) is positioned in said housing (110) and said sealing arrangement (115) is positioned between said bearing surface and said end face (See Figure 1), said sealing arrangement (115), as well as said pressure measuring cell (120) are axially clamped between said bearing surface and said clamping apparatus (140)

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(Column 4, lines 22-30); and said sealing arrangement includes a decoupling ring (150, i.e. metallic fixing device) as well as a first, and a second, ring-shaped sealing element (Column 4, lines 38-42), said first sealing element lies against said end face, said second sealing element lies against said bearing surface, and said decoupling ring (150) is axially clamped between said first sealing element and said second sealing element (See Figure 1).

With respect to claims 16 & 17, Flogel et al teaches a pressure sensor having a pressure measuring cell (120) has a platform and a measuring membrane (121, i.e. diaphragm) of a first material (ceramic), the decoupling ring (150) is made of a second material (metal) and the mechanical and/or thermal properties of the first material equal those of the second material (Column 4, lines 21-36).

With respect to claims 18 & 19, Flogel et al teaches wherein the first material comprises a ceramic, especially corundum or a crystalline material (Column 2, lines 7-8).

With respect to claim 20, Flogel et al teaches wherein the decoupling ring (150) is bound in the axial direction by two planparallel end faces (See Figure 1).

With respect to claim 21, Flogel et al teaches wherein the end faces having a ring shaped projections and/or cavities (See Figure 1).

With respect to claims 22 & 25, Flogel et al teaches wherein the clamping apparatus and/or housing includes an axially elastic element (Column 4, lines 10-21).

Allowable Subject Matter

3. Claims 23-28 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

4. The following is a statement of reasons for the indication of allowable subject matter: The prior art does not disclose or suggest a pressure sensor wherein the axial clamping pressure on the first and second sealing elements fluctuates over temperature cycles between -40°C and 150°C by not more than 40%, preferably by not more than 20% and especially preferably by not more than 10% of the maximum occurring clamping pressure.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- U.S. Patent 6,715,365 (Gerst et al) – Pressure Sensor Having Metallic Diaphragm Seal Mount
- U.S. Patent 6,698,294 (Jacob, et al) – Pressure Cell with Temperature Sensors and Pressure Measuring Method
- U.S. Patent 6,681,637 (Jacob et al) – Pressure-Measuring Cell with a Temperature Sensor
- U.S. Patent 6,615,665 (Flogel et al) – Pressure Measuring Device

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jermaine Jenkins whose telephone number is 571-272-2179. The examiner can normally be reached on Monday-Friday 9am-530pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Lefkowitz can be reached on 571-272-2180. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. - Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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